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8 IN THE UNITED STATES DISTRICT COURT FOR THE  
9 EASTERN DISTRICT OF CALIFORNIA  
10

11 UNITED STATES OF AMERICA, ) 2:04-cr-0019-MCE  
12 )  
12 Plaintiff, ) STIPULATION AND ORDER RESETTNG  
13 ) CHANGE OF PLEA DATE AND EXCLUDING  
14 ) TIME UNDER THE SPEEDY TRIAL ACT  
14 v. )  
15 )  
15 RODNEY BUTLER, )  
16 )  
16 Defendant. )  
17 \_\_\_\_\_ )

18 On August 8, 2006, the parties stipulated and agreed that the  
19 trial of the captioned matter should be vacated and the matter  
20 should be set for status conference/change of plea on October 3,  
21 2006. The parties have executed a written plea agreement. Due to a  
22 conflict in another scheduled matter, defense counsel is unavailable  
23 on October 3, 2006 for change of plea.

24 The parties request and stipulate that the date for change of  
25 plea be reset to October 24, 2006. Counsel for the defendant  
26 requests that the matter be set for 11:00 a.m. to accommodate his  
27 travel schedule from the Los Angeles area.

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1 The parties further stipulate and request that time be excluded  
2 under the Speedy Trial Act, 18 U.S.C. § 3161(h)(8)(B)(iv), for  
3 continuity of counsel (Local Code T4) from October 3, 2006 to  
4 October 24, 2006.

5 McGREGOR W. SCOTT  
6 United States Attorney


7 DATED: September 25, 2006

By /s/ Mary L. Grad  
8 MARY L. GRAD  
Assistant U.S. Attorney

9 /S/ David M. Dudley  
10 DAVID M. DUDLEY  
11 Counsel for Rodney Butler

12 IT IS SO ORDERED.

13  
14 DATED: September 27, 2006

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17 MORRISON C. ENGLAND, JR.  
18 UNITED STATES DISTRICT JUDGE  
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